

DECLARATION OF IN-GYOO KANG

I, In-Gyoo Kang, declare as follows:

1. I currently reside in Korea and am the Representative Director of KIP Co. Ltd., formerly known as KAIST IP Co., Ltd. (“KAIST IP”), which is the parent company of Plaintiff KIPB LLC, formerly known as KAIST IP US LLC (“KAIST IP US”). Prior to KAIST IP, I was a director at P&IB Co. Ltd. (“P&IB”), which had been a co-owner of U.S. Patent No. 6,885,055 (the “’055 Patent”).

2. I understand that Defendants have made the following allegations:

Defendants recently discovered information strongly suggesting that Prof. Lee, the sole named inventor of the asserted patent, is withholding numerous highly relevant documents that are damaging to Plaintiff. These documents include, on information and belief, a citation issued to Prof. Lee and/or his representatives by a Korean government entity challenging his rights to the ’055 Patent, and charging him of violating a Korean export law by licensing the asserted patent to a U.S. entity without permission from the appropriate Korean authorities who funded him.

Dkt. No. 174, at 1.

Defendants recently became aware in their investigation that, upon information and belief, a Korean commercialization entity (*e.g.*, Commercialization Promotion Agency for R&D Outcome or similar entity) issued a citation, warning or other notice to Prof. Lee and/or his representatives regarding his improper licensing of the rights under the ’055 patent and addressing Prof. Lee’s alleged ownership of the rights in the claimed invention, in light of the funding he received from the government and/or other sources.

Dkt. No. 174-1, at ¶ 4.

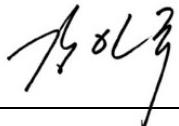
3. I am unaware of any such citation, challenge or charge by a “Korean government entity” or “Commercialization Promotion Agency for R&D Outcome” regarding the ’055 Patent. P&IB, KAIST IP and KAIST IP US have no record of such a thing.

4. I am aware of an organization called Commercialization Promotion Agency for R&D Outcome or COMPA. COMPA is affiliated with the Korean Ministry of Science and ICT. But it is not, itself, a government entity. The purpose of COMPA is to promote the research and development of technology *in Korea* towards commercialization. To the best of my knowledge,

COMPA is not responsible for the enforcement of Korean export laws and it is not within the normal scope of COMPA's activities to issue a notice or citation about alleged improper licensing or ownership of a U.S. patent.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Date: 2018. 02 .15.



In-Gyoo Kang